

House Judiciary Committee Amendment # 1

Amendment No. 1 to HB2583

**Buck
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2157*

House Bill No. 2583

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "T-BO/Raleigh/Andy/Boozer/Mr. Kitty Act".

SECTION 2. Tennessee Code Annotated, Title 44, Chapter 17, is amended by adding the following as a new, appropriately designated section:

44-17-__.

(a) If a person's pet is killed or sustains injuries which result in death caused by the unlawful and intentional, or negligent, act of another or the animal of another, the trier of fact may find the individual causing the death or the owner of the animal causing the death liable for up to five thousand dollars (\$5,000) in non-economic damages; provided that if such death is caused by the negligent act of another, the death or fatal injury must occur on the property of the deceased pet's owner or care-taker, or while under the control and supervision of the deceased pet's owner or care-taker.

(b) As used in this section, "pet" means any domesticated animal normally maintained in or near the household of its owner;

(c) Limits for non-economic damages set out in subsection (a) shall not apply to causes of action for intentional infliction of emotional distress or any other civil action other than the direct and sole loss of a pet.

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(d) This section shall not apply to any not-for-profit entity or governmental agency, or their employees, negligently causing the death of a pet while acting on the behalf of public health or animal welfare; to any killing of a dog that has been or was killing or worrying livestock as in § 44-17-203; nor shall this section be construed to authorize any award of non-economic damages in an action for professional negligence against a licensed veterinarian.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any fatal injury sustained on or after the effective date of this act.